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FAX NO. 617 439 4170

P. 02

Docket No. 56575 (71987)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

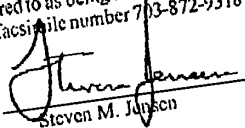
APPLICANT: C. Huang et al.
SERIAL NO: 09/982,347
FILED: October 18, 2001
FOR: SEMICONDUCTOR PACKAGE AND METHOD FOR FABRICATING
THE SAME

EXAMINER: I. Soward
GROUP: 2822

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CERTIFICATE OF FACSIMILE TRANSMISSION

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By: 
Steven M. Janssen

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TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

Sir:

Applicants are in receipt of the Office Action dated July 15, 2002 of the above-identified application.

In response to the Restriction Requirement, Applicants provisionally elect Group I, claims 8-12, with traverse. The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicants reserve the right to file divisional application(s) on the non-elected claims.

Applicants traverse the Restriction Requirement on the basis that, while the claims of Groups I and II are drawn to a semiconductor package and fabricating method, respectively, the Examiner has failed to demonstrate that the product as claimed can be made by "another and materially different process." According to MPEP §806.05(f), it is permissible to define a product in terms of a process by which it is made, in order to define the invention.

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The Office Action states that: "[i]n the instant case, the molded underfilling technique could have been performed by another underfill technique to obtain the same result."

It has not been shown how the above-stated change proposed by the Examiner constitutes "another and materially different process." Claim 1 (of Group II) recites "placing the substrate with the semiconductor chip mounted thereon in the mold, and injecting a molding compound into the molding cavity to encapsulate the semiconductor chip." In claim 8 (of Group I), the encapsulant must be "formed by a molding compound injected into a molding cavity of a mold for encapsulating the semiconductor chip mounted on the substrate..." (claim 8, lines 4-5). Therefore, both Groups I and II require injecting a molding compound into a molding cavity.

Withdrawal of the restriction requirement, and early consideration and allowance of the application are earnestly solicited.

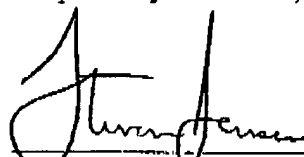
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Respectfully submitted,

AUG 12 2002

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Date: August 12, 2002



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